Automobile Club's Report Still in Committee's Hands.

Nullifying Act Governing Motor Vehicles.

No information relative to the investiga tion into the internal affairs of the Automobeen ready for distribution to the members cement relative to the progress of the affair would be made by this evening.

with the annual meeting and election, which, under the constitution, should All of which is serving to arouse the curiosity of the members, who are wondering mer, too." just what the labors of the special comlittee may have disclosed.

lene automobiles, prepared annually for the. manufacture and use of gasolene driven

of the kind ever issued, and contains illusincluding various body equipments, cover ore than five hundred different models. Mrs. Brown and Mr. Davis, who is fifgiving particulars and prices of each, together with the A. L. A. M. horsepower

a case which has been carried to the Suprema Court of Illinois. Though the test case was originally intended only to attack that section of the state law prescribing developed into a court test of the constitutionality of the entire law.

the plaintiff in the case. He refused to procure a chauff-ur's license, as prescribed under the law, and has carried his case to the Supreme Court for final adjudication. subject." A Supreme Court decision is cited | don't you?" as follows: "Where an act includes two distinct subjects and both are expressed in the title, the whole act must be treated as

The briefs filed with the Secretary of State by the attorneys in the case set up that the automobile act provides for "regu lating the use and speed" and "prohibiting the use without the consent of the owner,' etc., thus violating that portion of the constitution which provides that no act passed shall embrace more than one subject.

products does not meet with the approval of the manufacturers," says J. C. Matlack, "It imposes an of the Ajax company. restriction on the trade, and character from a Chinese band. dealers and consumers. The average tire is midsh tire. Give me a fresh, new one.' The into the river. He plunged after her and of Fitzherbert's guilt because the evidence dealer, if he tries to say the tire is no worse rescued the weman.

a complex and difficult situation. It is not sacrifice. needed. It does not serve the public inhave canvassed the tiremakers and find a determined opposition to the measure."

YACHT RACING DATES OUT

Active Season Promised for the Boats of Gravesend Bay.

adopted at a special meeting of the dele-Tates of the Yacht Racing Association of tices of the Atlantic Yacht Club. The of the year on September 14.

exception of July 20 and 27, these being the iws Saturdays of Larchmont race week. in the racing courses this year. They, howfier, accepted two cups from Gherardi Davis, of the Atlantic Yacht Club, which conditions than those that govern the Campionable races. The organization also estided not to govern the handleap class. The racing dates adopted follow:

May E. Atlantic Yacht Club; May 20, National Yacht Club.

ref. open.

and Field Club (cham10, National Yacht Club
ugust 17, Atlantic Yacht
(p): August 24, Benson-

STAND UP FOR BASKETBALL

Secretary of League Sees No

Danger of Its Early Demise. that he did not see just what foundation gates are in attendance. Jack Monkley, the Cornell track coach, had for saying that the death knell of inter- willingness to do jury duty when they voted the game is nearing the end of its period of service."

degree of popularity.

Continued from first page

ington, and two months ago married Wilson T. Brown, a Chicago cotton broker. The affidavits show that Mrs. ILLINOIS LAW IS ATTACKED Brown and her eldest son are set against the rest of the Davis family, consisting of another son and two daughters, all of Chauffeur's Case May Result in whom are younger than Newton Davis. Bluementhal said that both Mrs. Brown and her son exercised control over Mrs Smith, and that she was in constant need of care

Miss Antoinette Davis, the daughter bile Club of America was made public yes- of Mrs. Brown, said in her affidavit that promise" agreement the report should have at the Hotel Savoy the latter was always was said, however, that hotel in West 75th street Miss Davis Rumer around the Automobile Club of there, and according to her daughter America had it yesterday that the work of she remarked, pointing at Mrs. Smith: the special committee will take much longer "See how wasted her hands are. I am than had been expected three weeks ago afraid she won't live very long." Mrs. and that it may not be able to report for Smith, who heard the remark, said that Miss Davis, Mrs. Brown made the retake place on the second Tuesday in April. tort, "Yes, we are watching you every

A comprehensive illustrated book, giving wife was always displeased with her descriptions of motor cars, has just been aunt over some financial matter which issued by the Automobile Board of Trade. the niece seemed to think was due her. It is the minth annual handbook of gaso- Britton said that Mrs. Brown said that "she purposed to get the money in some information of the public interested in the way" and that she remarked further stances be vacated. that if she could "do away with her aunt The present volume is one of the largest without anybody knowing it she would do so," Davis then goes on to tell about trations of cars made by a majority of the Mrs. Smith saying that her niece had a The illustrations, tried to poison her in Boston

teen years old, told about a visit that his sister Natalle made to the home of her grandaunt. She was not admitted and sent a note to the room of Mrs. automobile law passed by the last Smith telling her that she wished to see General Assembly has been made through her. The girl received no answer. Then her younger brother called at the hotel not wait to send up his name, but went examinations for chauffeurs, it has now directly to her room. In answer to his knock his brother Newton opened the down pretty tight. door. They had not seen each other for R. Earl Sargent, a Chicago chauffeur, four years, and Newton did not know his backed by the Chauffeurs' Association, is brother. The younger Davis told his grandaunt of his sister's having called and that he supposed Mrs. Smith did not on the ground that it violates that part of grandniece had called and that she the constitution which says: "No act there- would be glad to see her at any time.

REVENGE FOR CHINESE GOD

Engineer Says Society Has Trailed Him with Death Threats.

China, to this city, with ultimate death at their hands as an inevitable result, Alfred 682 St. John's Place, Brooklyn, applied yes- to be vacant." to date their terday to Fourth Deputy Police Commissioner Dillon for a permit to carry a revolver. His request was granted, after he Fitzherbert. Mr. Edge deplored the fact had shown Dillon letters of a threatening that the minority had taken a position

not a bit the worse off for six months' or a in the harbor of Che-Foo, and while on the minority might decide him deserving of on the gunboat Mindora, lying year's reasoning, and very likely the better leave of absence took a small river steamer cate, is bound to say: 'I don't want an old Scanze saw a young Chinese woman leap the position that "reasonable doubt" existed

When he told the story later on the Minterest. He won't want to carry stock if it into trouble, as the Chinese regarded the must be dated, and so the burden will come girl offered as a sacrifice to the river god. who had flooded the river, and in rescuing "If the bill becomes a law it would make the girl he had deprived the god of his

One of the letters received by Scan far as I can see. Some tires at was delivered to him on Saturday morning the end of three years' seasoning are the while he was at work on a new building better for it, but what dealer would ever at Broadway and 34th street. The note was be able to sell in 1915 a casing dated 1912? handed to him by one of the workmen em-The motor and accessory manufacturers ployed on the building, who said a Chinaman had asked him to give it to Scanze. The letter referred to the rescue of the young Chinese woman by Scanze, and warned the latter "to be prepared" for a visit from the "river god's messenger."

GIRL PLAYS DETECTIVE

Racing dates for the coming summer were | Causes Arrest of Man Accused of Stealing Merchandise.

The clever detective work of Julia Calla-Gravesend Bay at the Crescent Athletic han, nineleen years old, resulted in the Cub, Brooklyn, on Tuesday night. The conture of a driver who is charged with Mason will start on May 25, with an open having stolen a load of merchandise valued sky's forward movement was so pronounced Pagatta for all classes, held under the au-The arrest will be followed by that of same organization will hold the final race others implicated in the robbery. Miss Callahan is bookkeeper and office manager Racing will be held on each Saturday and for her father, who has a large trucking thoughout the season, with the business. His home is at No. 268 9th street. When he Jersey City.

Thomas Kehoe, a driver, who had been in his employ only a few days, was sen to haul a load of merchandise for the Dundee Express Company from the Erie Railroad freight platform, Jersey City, It was not delivered and the truck was found empty and abandoned in Second avenue, Manhattan. Kehoe and his family-a wife and two children-disposed of their belongings and hurrledly left Jersey City

searched in vain for a clew. Miss Callahan Bensonhurst Yacht Club, June 8. investigated on her own book and received Atlantic Yacht Club; June 15, New York information that the fugitive was living at Canes Clob (championship), June 22, Cres- No. 17 Daniel street, Albany, Detective Island & Brooklyn Railroad stock pur-Club (champlonship); June 26. Stevens was sent to that city, and with the chazed he the brokerage house of George aid of the police there arrested Kehoe, H. Prentiss & Co. on Tuesday and, which July 4, Bensonhurst Yacht Club; July 6, who, it is said, made a complete confes-National Yacht Club (champlonship); July sion. He implicated two others known to the party of the Yacht Club (champlonship); police, who he says got \$390 each and gave police, who he says got \$300 each and gave him only \$100 for his share. Kehoe will be brought back to Jersey City

FIGHT ALL SUNDAY GAMES and Field Club (championship) 2. Atlantic Yacht Club, September 14, Atlantic Yacht Club (championship) And Field Club (championship) Proposed All Atlantic Yacht Club (championship) Methodist Conference Also (Against Delivery of Beer.

Asbury Park, N. J., March 13.-The enty-sixth annual session of the New Jersey Conference of the Methodist Episcopal Church opened here this morning with alph Morgan, secretary of the Intercol-ate Basketball League, said yesterday ing. Six hundred clergymen and lay dele-and \$5,65,062 of bonds. Basketball League, said yesterday ing. Six hunored clergymen and lay dele-Members of the conference voiced their

Mose, unanimously in favor of a resolution pre-Morgan is an old University of Pennsyl- sented by Secretary Melville E. Snyder his player, and has had a hand in the protesting against the passage of a meashanagement of the league for several years, ure introduced in the State Assembly pro-He says that the league is in a more viding for the exemption of clergymen Sourishing condition to-day than it ever from duty on grand and petit juries. The was, and that the sport seems to have tak- resolution was, "that as ministers of the in a new hold all around. He has written gospel, we are still citizens of the state. Mr. Monthly to find out just why he is and so prize our citizenship that we do not cock street,

The particular bills which should be op-Harry A. Fisher, of Columbia, a member of the intercollegiate rules committee by the conference, said the Rev. James W. Marshall, were those legalizing baseball, football, golf and other sports on baseball, football, golf and other sports on the champion by his just won the championship, sides with Sunday and the delivery of beer and other Sunday and the delivery of beer and other Mr. Morgan, and says that, in his opinion, intoxicating liquors in places where no li the place. This came up in the is fact yet reached its highest censes are obtainable. This came up in the report of the legislative committee.

AUTO NEWS OF THE DAY ALLEGE POISONING CHARGE CAN'T OUST FITZHERBERT PRISONER AN OLD FRIEND CENTRAL FLIER IN RIVER

Democrats Vote Against Expul- Greets Dougherty with sion in Jersey Senate.

FIRST CONFER WITH WILSON SHOTS FLY BEFORE ARREST

terfere with Judgment of Senate Tribunal.

[By Telegraph to The Tribune.] Trenton, N. J., March 13.-Following a ble Conterence with Governor What, whom three stalwart sleuths ushered into terday, although under the recent "com- while her grandaunt, Mrs. Smith, lived Democratic Senators marched into the Sen- whom three stalwart sleuths ushered into ate chamber this afternoon and voted his office, after a little pistol play up in glad to see her. After she moved to a against a resolution to expel Senator Fitz- Harlem, his eyes rested on a familiar face. herbert, of Morris County, who, last week, cailed on Mrs. Smith. Her mother was was found guilty of conduct inconsistent with the trust and duty of a Senator. Two not in their seats when the vote was taken. The eleven members of the majority

is even a possi- she thought that her niece was watch- fourteen votes were necessary to bring illy, it is said, that the deliberations will ing her very closely. Thereupon, said about the Morris Senator's expulsion, he the following statement: I conferred with the Democratic Senators

Charges of Poisoning.

Britton Davis averred that his former wife was always displeased with her cunt over some financial matter which he niece seemed to think was due her. Britton said that Mrs. Brown said that sthe purposed to get the money in some services of the charges against Senator Fitzherbert, of Morris County, and of the action of my party colleagues on those charges. I am convinced that when the vote was taken on the Democratic Senators or the work of "gullty" or "not guilty" the Democratic Senators or the work as a solemn consciousness of their obligations as judges on a question of personal guilt, and without respect to the money in some services. gard to any party purpose, such as saving a seat which might in certain circum-stances be vacated. I wished for my own

might throw light on the case itself.

In view of the fact that I was not myself a member of the court, I have at present no personal judgment to express in the case. I did not call the Senators together for the purpose of suggesting any action to them, but only for the purpose of determining whether there was anything that I myself ought to do. This I cannot finally determine until the case is concluded. I should no more feel at liberty to attempt to influence the judgment of the Senate as a tribunal than I should deem myself at liberty to influence the judgment of one of influence the judgment of one of

made Senator Fielder, of Hudson, the mi-After telling of the in Brooklyn. searing before the Judiciary Committee and the subsequent charges in connection with the acetylene bills, involving Fitzherbert,

Whereas, A public investigation was made as to the charge by the said committee, pursuant to the authority of the Senate, it which investigation the said Fitzherbert was represented by counsel, who cross-ex-

was represented by counsel, who cross-examined the witnesses, and,
Whereas, The said committee, composed of the Senator from Atlantic, the Senator from Camden and the Senator from Hudson, reported unanimously that on the evidence presented to them they believed the said Fitzherbrt had been guilty of an offence inconsistent with the trust and duty of a member of the Senate, and the said committee thereupon recommended that he be

of the report of the committee by the Sen-Believing that he has been trailed by ate and the trial of the Senator of Morris members of a Chinese secret society all on the charges, and ends by saying that, the way from the harbor of Che-Foo, after a fair trial, having been found guilty, "the said Fitzherbert be and he is hereby expelled from the Senate of the State of K. Scanze, a mechanical engineer, of No. New Jersey, and his scat is hereby declared

personal conviction and vote to expel Mr. which rendered it impossible to expel Mr. According to Scanze, in 1908 he was a Fitzherbert. He wondered what it was necessary for a member to expulsion. Mr. Pierce argued that the

was overwhelmingly against him. After the vote the Senate adopted Mr for being a few months old will probably have his statements put down to self-in- dora his shipmates told him he might get Edge's resolution providing for the printing of five thousand copies of the testimony

for distribution. A number of the Democratic Senators ex pressed the hope that Senator Fitzherber

FORGOT HIS LATEST NAME

rould resign.

Ex-Convict Embarrassed When Called for Sentence.

Louis Danaschefsky, a plump little man middle of a long line of prisoners who his association with a dozen notorious were arraigned for pleading and sentence forgers, many of whom are now serving the officials of the railroad the train was vesterday before Judge Swann, in General long sentences. The police believe he will not going at a greater speed than forty-Sessions. As each name was called Louis give them information which will lead to five miles an hour when it struck the looked anxiously at his neighbors, and if the rounding up of some of the most ex- defective rail. An examination of the there was no immediate response he pert forgers in the Eastern States. There rail by their experts showed that the started forward. When the belated answer

tache drooping apologetically. "Joseph Levy to the bar," called Edward dren. Cowing, clerk of the court, and Danaschef-

"Your name isn't Levy, is it?" he asked, "I'm not sure," was the answer, "I've used so many names that I can't remember

een four times convicted.

ANOTHER LINE FOR B. R. T.

The police were informed and detectives Acquires Practical Control of Coney Island & Brooklyn.

The block of 12,000 shares of Cone report said was to be turned over to the Interborough.Rapid Transit interests, turns out to have been bought for the Brooklyn Rapid Transit Company. An officer of the latter company admitted yesterday that the tock had been purchased for their account and said the transaction would probably be ratified by the executive committee on Monday.

This means that the Brooklyn Rapid Transit Company has acquired practical control of the Coney Island & Brooklyn, which has been the only independent line in Brooklyn. The company operates two lines to Ceney Island, one in Franklin avenue and the other in Smith street, both reaching the Island by way of Coney Island avenue. The Coney Island & Brooklyn also has a road running out to Ridgewood by way of DeKaib avenue. The company has outstanding 27,500 shares of capital stock The 12,000 shares of stock, which were taken over at 75, were purchased from the estate of the late Henry B. Hyde, founder of the Equitable Life Assurance Society.

TWO HURT IN AUTO CRASH

Mrs. T. H. Colby and Granddaughter, of Brooklyn, Cut by Glass.

Mrs. Thomas H. Colby, of No. 284 Han-Brooklyn, and her grand-Speed to basketball and why he is and so prize our citizenship that we do not the game is completely and why he thinks wish to be relieved from the responsibility were injured in an automobile accident at Tonnele and Newark avenues, Jersey City man, and Stephen Fles, conductor.

The automobile slid in front of the car and Mrs. Colly and Miss Colby were cut by the glass from the broken windshield. They were taken to Christ Hospital,

"Howdy, Commissioner?"

Governor Says He Will Not In- Detectives Also Get Woman in Following Up Capture of Alleged Forger in Boston.

When Deputy Commissioner Dougherty of the Police Department looked up from conference with Governor Wilson, seven his work yesterday morning at the man

"Howdy, Commissioner?" replied 'Joe. 'Joe" had been taken into custody other Democratic Senators-Silzer, of Mid- earlier in the morning at No. 8 West 168th dlesex, and Slocum, of Monmouth, were street. On receipt of a telegram from Detective Frank Allen in Boston, announcing that he had arrested a man described as voted in favor of the resolution, but as Chester L. Errico, of No. 102 West 102d street, this city, on a charge of forgery, Central Office Men Morrell, Burmingham will hold his seat. After the conference and L'Heureux, attached to the West 100th this afternoon Governor Wilson gave out street station, hustled around to the 198th street address, as advised by the telegram, to see whether there wasn't some one there who might know a little something about the crime. Knocking at a door on the fourth floor, they announced that they were officers of the law.

"Quick! Get the irons!" they heard a

oman's voice exclaim. Within thirty seconds four shots crashed brough the wooden panels. Three pairs of husky shoulders soon had the door off its hinges and the detectives burst in, to find a man and woman facing the opening with information and guidance to be fully approximately approximately an experiment of their judgment of what the basis of their judgment smoking revolvers. When they arrived at smoking revolvers. When they arrived at the smoking revolvers. moking revolvers. When they arrived at

to erase the name of the payee from stolen hecks with chemicals, insert a name that would bring the money his way, and incioffered the resolution providing for Senator dentally raise the check to several times its Fitzherbert's expulsion, and its reading original value, as a rule. In 1965 Ford was sent to Elmira with an indeterminate sennority leader, squirm, for it pinned him tence for attempting to pass a raised check

brotifer "Jim" and William E. Boland, better known as "Little Nemo," took up the dership of the gang. After being arrested twice in 1909 Boland was finally sen to prison in May, 1919, for defrauding the People's Trust Company, Brooklyn, with a entence of from four to eight years. In he mean time Ford had served his term, pleaded guilty to a second offence and re eived a sentence of six years in June, 1909, When Boland was sent up, the Commis sioner said yesterday, "Joe" Devine had said to him:

"Well, you've got Ford and you've got Boland. Let's see you get me.

The Commissioner remarked yesterday that it looked as if he had him. The evidence collected by the detectives showed, was in all probability a subordinate member of the gang, or what is left of it. He is charged with passing a forged check for \$8.250 drawn on the account of Daniel Woodhouse, president of the Woodhouse Manufacturing Company, of No. 50 West Broadway, in the Irving National Exchange

Arraigned in the West Side court ye day afternoon, "James Elliott" and Mary Smith were held in \$2,000 bail each on a charge of grand larceny and \$2,500 on a charge of felonious assault. P. G. Patterit, yet the consumer, looking at the up the Yangtse River. On the way back Democrats were not warranted in taking McQuade to the District Attorney's office. Chester L. Errico and Evelyn Curtis, with Ferdinand street, Boston, were brought for a small sum.

to six months ago Errico, who says he is they? Well, I don't know; but there was by the Woodhouse Manufacturing Com- whatever it was that did go wrong, alpany as a clerk. Upon his discharge for led to Devine's arrest.

When Errico arrived last evening he was wearing a worried expression, stood in the in a talkative mood and freely discussed is no charge against the girl with whom came the small man unobtrusively found Errico eloped to Boston, but she will be is place in the line again, his ved must held as a material witness. Errico is thirtyfive years old and has a wife and two chil- most of the failure; of rails when they

N. Y. A. C. SPLIT OVER 'GENE' Coach Storm Centre Between Social and Athletic Elements.

The storm of dissatisfaction which has When his turn finally came he pleaded been brewing at the New York Athletic guilty to grand larceny and was sentenced Club for several months burst yesterday, to serve five years. Three other names are with Eugene J. Gianinni in the centre of nentioned in the indictment, Louis Dening, things. "Gene," as he is called by those Louis Grafonowich and Isaac Brown, and who believe in the athletic future of the orthe police credit him with many more. He ganization being of paramount importance, is fifty-five years old, a tailor, and lived at is the target for the attack of those mem-No. 820 Henry street, Brooklyn. He has bers of the club who placidly take their exercise sitting down.

This element was prominently to th front in the ticket elected at the last annual election on January 9, and at the first meeting of the board of governors in the same month it was decided to allow Gianinni to resign as rowing coach, trainer of the track teams and general director of the gymnasium. It was held that Martin Austin, the assistant to Gianinni, could do all the athletic training and directing that the club needed and that Gianinni's salary, which is said to be \$4,000 a year, could be

The sound of the first gun of retrench ment evoked a vigorous protest. Fred W Kroehle, formerly one of the governors and others who regularly frequented the gymnasium, made it evident immediately that Gianinni should not be lost to the club after more than fifteen years of association with its winning crews and track teams. Robert W. Kammerer, also a former governor; Hugh Baxter, a former captain and champion pole vaulter, and others, soon enlisted in the campaign for Gianinni, and this led the board of governors to decide to mark time and find out how matters stood. The athletic forces of the club, under the

leadership of Hugh Baxter, circulated a the next move. night that Gianinni would probably leave

from other organizations, EMBARGO ON CATTLE RAISED.

Washington, March 13.—The embargo on cattle from Great Britain, importation of which into the United States has been prohibited for almost a year because of the foot and mouth disease, was lifted to day by Secretary Wilson. No evidence of the disease has been discovered in Great the discovered has been disco windshield. Britain for three months,

despite this the speed was not lessened. The next thing we knew we were rolling and crashing down the embankment into the river. The diner was next to the last car in the train. The train broke into two parts. The engine and the first two cars ran about half a mile alone the tracks before they stopped. The third car ploughed along the rails, which were torn up for 1,800 or 2,000 feet. The last four cars went down the embank-

"The scene in the dining car was terrifying-the twenty or so persons in there were all shot forward in a mass together with the chairs and tables and MMCKEN, Mrs. Jennie, No. 2413 Auburn av nue, Auburn, Cincinnati; broken ribs. tableware. The smashed crockery cut us and the heavy metal ware flying loose bruised us.

ment.

"The car finally came to rest on its side, half-submerged in the water. The ice there was extremely thick, and is was that which saved us from going to the bottom of the river; and to add to our danger and fright the gas range in the kitchen at the forward end of the that means of escape. The windows on the right sic were below the water and ice and the door at the rear end was jammed. The windows on the left side of the car showed nothing but blue sky.

"A tribute must be paid to the structure of the car," Mr. Williard went on, "it was of steel. I hate to think of the way it would have crumpled up had it been of wood; none of us would have escaped alive, I am convinced. And the windows were of thick plate glass; they, too, withstood the accident. They had to be smashed to get us out.

"I never shall forget the condition of the women. They were screaming terribly-well they might! I saw one poor woman whose hands seemed literally cut to pieces by glass. She was carried out unconscious by two men who broke in through the windows. The negro two of them, although cut and bleeding, giving all their efforts to help the pas-

"Before I was taken out of the car the water had crept in to a depth of four feet. We were taken to the third ear, which was still upright, although off the rails, and it was turned into a field hospital. I have no praise," Mr. Williard declared, "for the way the New York Central handled the affair. Within three minutes the officials at Poughkeepsie, only three miles away, were informed by telephone as to what had happened, but it was two hours before a wrecking train with doctors arrived.

Doctor on Train Gives Relief.

"But there was a doctor-F. C. Warnshuis, from Grand Rapids, I was toldon the train who was the hero of the occasion in the way of medical relief. He flew about and had us almost all bandaged up before the company doctors came. He tore up the linen from the sleepers and did wonders with the limited facilities he had at hand to work

improvised hospital waiting for aid. with that icy water and had nothing to change to. Many women and men sat about in their pajamas and nothing was done to relieve them for two interdealer offered twenty-two minable hours. When the lots in West 55th street as security for the train finally did arrive with three doc-

back last evening by Detective Allen. Up "They say it was a broken rail, do Princeton man and the son of a rich a passenger in the third car, which seems Italian of Stockton, N. J., was employed to have been the first to feel the result of falsifying the books of the company Errico though it was not pitched into the river, they must inevitably have been shattered. obtained blank checks and a facsimile of who said that there was something Daniel Woodhouse's signature, and, accord- wrong with the mechanism under the 22 between the Panama Limited and the ing to his confession, he and Devine forged car; every time the car swerved, he said, New Orleans express on the Illinois Central the check. It was Errico's confession which there was a peculiar wrack and sound to the car that made him nervous all the way from Buffalo."

According to the statement made by steel contained the familiar molecular defects which are held responsible for give out under the terrific pounding of a rushing train. The rail, it was said. was of the heaviest type, one hundred The curve where the accident took place, called Rogers curve, it was said, was not such as to prohibit a speed of fortyfive miles an hour. Records showed walker would give no hint of the defect lision was due to a heavy fog's obscuring

lurking in the interior of the rail. That the thick ice coating of the stream acting as a check to the rush of the toppling cars as they ploughed through the shallows near the bank, keeping them from sliding into deep water, probably prevented a far worse disaster is the opinion of railroad men. Had the river been open the derailed cars would have ploughed along nto the river depths and many persons would undoubtedly have been drowned. As it was, the ice held the cars, and while the water entered the sleepers to the depth of the lower berths in some of them and gave many of the sleeping passengers an cy bath, all were rescued without great difficulty. Planks were run out to the windows of the cars, and passengers made their way to shore over these improvised bridges. The work of rescue was expedited by the fact that a construction comany doing work on the road near the scene of the accident was able promptly to bring the much needed planks to the scene. At 1:15 the second section of the Twen tieth Century Express, due at the Grand Central Terminal at 9:20, rolled into its berth laden with the passengers of the wrecked first section in addition to its own load. Among them were all of those, ac-

An anxious crowd of friends and relarequesting the retention of tives, gathered by the news of the wreck, Gianinni, which was signed by several surged about the gate outside of track No. hundred members and presented to the gov- 21 when it was finally announced that the defendant is a nephew of the three daughernors at the regular Tuesday night meet- train would be brought in there. Rope ters of William Ponsonby Furniss, who ing. It is said that the board flouted the barriers were immediately thrown up to died leaving an estate valued at \$40,000,000, curred. I should say that the wreck was petition, and last night the supporters of keep a passage clear for the passengers to He is a brother of Grace Livingston Furthe athletic director were making plans for come out, no one but the claim agents, at- niss, a playwright. tendants and officials of the company being One of the oldtime athletes said last allowed inside the gates on the platform. Most of the injured persons were able to the club anyway after such a tempest had walk, but even so they presented a scene been raised. He has had several offers that was not reassuring to those anxiously R. C. Furniss, aunt of the defendant, died the rust lines to be true. waiting for them. Some limped, others recently. She had a third interest in the staggered out supported by the helping estate of her father and was trustee for suffered, and many of them wore bloody from the two other shares. tandages on their heads and hands. The Furniss, his sister and his son, who have

cording to the officials of the road, who

had been injured in the accident.

The unscathed passengers on the second section, when the less fortunate ones were put in with them, became a sort of volun-

ing unmistakable signs of injuries.

tary relief corps and did all they could to help them. They gave up their seats for the comfort of the injured and helped them to reach their cabs and cars when they ar-

rived at the Grand Central. Among the most seriously hurt was Mrs A. D. White, who lives at the Wareham Apartments, No. 231 Lexington avenue. I was necessary to carry her out in stretcher to a cab, in which she was taken to the New York Hospital. There it was found that she was suffering from a fractured arm, numerous cuts about her facand body and from shock due to wetting and exposure.

The full list of injured as given out by the company was as follows:

KEEFER, E. S., No. 254 Williamson street Elizabeth, N. J.; bruised, KOCHS, August, room 509, Fisher Building Chicago; slightly bruised.

NEW, I., No. 531 Michigan avenue, Chicago, head cut. OPPENHEIM, L. S., No. 4225 North Lincoln street, Chicago; left hand injured,

STRAUS, Joseph, Kansas City, Mo.; hands cut STRONG, J. R. No. 9 East 30th street, New York; head bruised and hand cut. SWEENEY, Patrick M., No. 847 President Construction Companies' Stock-street, Brooklyn, cut by glass. WHEELER, Fred B., No. 206 South street Chicago; shoulder dislocated.

WHITE, Mrs. A. B., Wareham apartments New York; arm fractured. car exploded. The flames there cut off WILLIARD. Thomas C. No. 1856 East Sist WOOLF, Ben, No. 308 South State street, Chi-cago; bruised.

were injured, but they refused to give their names to the company. Their hurts consisted chiefly of small cuts about the hands from broken glass. Among them was Mrs A. M. Gustaffson, J. H. Embrey, F. T. Kefflinger, Mrs. B. Baruch, of No. 896 St. John's Place, Brooklyn; Mrs. M. L. Boggs, A. H. Wettendorf, J. B. Giles, F. Liebenstein, Gebrge E. Hilton, a negro porter; R. H. Wright, F. M. Andrews and Frank Lee, conductor of the train

Conductor Disregards Injuries.

told of the last named, Frank Lee, conductor of the train, by a passenger, C. R. Mur- Kansas City, Mexico & Orient road as far ray, who escaped unhurt.

"I was out under the observation dome of the last car," Mr. Murray said, "when the smashup came. Conductor Lee was United States Mortgage and Trust Comporters, too, deserve great praise. I saw standing there, and was thrown down pany, and the other members are Lewis L. among the stools and chairs. , When Clark, president of the American Exchange he got up blood was gushing from his National Bank; Frederick J. Lisman, of F. he had received from the flying chairs. But railroad expert; J. Herndon Smith, of the he did not stop to consider himself. He banking firm of A. G. Edwards & Sons, of just jumped up and grabbed a flag and St. Louis, and three Englishmen-Alfred C. ran back to flag the second section of the Bird, Carl Derenburg and Philip D. Tucktrain, which was coming ten minutes be- ett. James M. Beck is counsel for the comhind us."

J. Bechhofer, a clothing merchant, of No. 405 Lafayette street, was among the passengers who escaped injury, and was able that their assets consist mainly of securito give a clear narrative of what happened ties of the railway company, most of which and the looks of things after the accident. are pledged for debts incurred by the con-His story agreed in the main with that struction companies, which the latter are told by Mr. Williard, especially in regard unable to meet at maturity. The co-operato the disposal of the cars on the tracks tion of the stockholders of the construction and in the water. Others to tell similar companies is asked that recognition and stories were C. R. Murray and H. Frei- participation in any reorganization plan stadt, of No. 38 Park Row. Harold F. Mc- which may be formulated for the railway Cormick, a son-in-law of John D. Rocke- company may be secured. feller, was on the second section of the

WRECK HORRORS NOW FEW Their Rarity Attributed Largely to Use of Steel Cars.

Eleven flyers have been wrecked on the railroads of the United States and Canada since January 1. Yet the total death list is only twenty-one. That it is not many Practically every one of us was soaked times that number is attributed largely to the use of steel cars. In one previous wreck N. Y., on October 24, 1897-that number were killed, nearly all the fatalities occurring in wooden cars. All other circumstances surrounding the wreck were almost identical with those of yesterday's catasball bond, but was referred by Magistrate tors aboard, the first man to get off to trophe. In six of the eleven accidents of comfort us was a claims agent, who this year not a life was lost. In practicalsought to compromise whatever claims ly all, barring the steel cars, the elements months in a furnished room at No. 210 any one might have against the company were present that would otherwise have

A broken rall threw three coaches of the Rutland Railroad express from the track near Montreal on January 14. They were dragged along the ties for some distance, bumping against a bank. No one was even badly hurt. Had the cars been wooden Then there was the collision on January at Kinmundy, Ill., in which J. T. Harahan lost his life. This was a rear-end collision, due to error in running the trains too

closely together When the Montreal fiver crashed into a freight at Winchendon, Mass., on January 27, the freight engine was completely demolished and a dozen freight cars were hurled from the track, but no one was hurt. A broken rail wrecked the Federal express near Leetes Island Station, Conn., on the Shore Line Division, on February 11.

The big steel cars were hurled across the

tracks in every direction, but were little

damaged and no one was hurt. The first wreck of an all-steel train on the Pennsylvania Railroad occurred on Febpounds to the yard, and was laid in 1910. ruary 15, when the Pennsylvania Limited jumped the track at Warrior's Ridge and nine cars rolled down an embankment. Only four persons were killed. The accident was caused by a heavy bar from the locometive falling under the car wheels. On that it had been duly inspected by the February 17 the Pennsylvania's Chicago track walkers, but it was said that the Limited ran into a work train at Tarville, closest inspection on the part of a track Ind. Five workmen were killed. The col-

> the danger signals. Still another wreck on the Pennsylvania occurred on February 20 near Middletown, either by electricity or any other process." Penn, when a brakeman threw a wrong switch, letting a freight train on the pas- Dodge, who is a director with Mr. Stilsenger tracks. The Pennsylvania Special well in the American Infusion Steel Comhit it at sixty miles an hour. The two engines were demolished, but the first car of B. Thresher, Matt C. Smith, an officer of the special, a steel one, was the only one the United States and Mexican Trust Comof that train damaged, and that only slightly. The engine crews were the only persons injured.

Hoosac tunnel, also on February 20, when a Boston express crashed into a freight. Not a passenger was seriously hurt.

rail on March 7, when the Continental Limited, running at high speed on the Wabash Railroad, near West Lebanon, Ind., left the tracks and rolled into a creek.

MRS. FURNISS PRESSES SUIT Fails to Agree with Husband and Demands Separation.

The separation suit of Mrs. B. Alice Furniss against William Ponsonby Furniss, which was begun several months ago and then withdrawn, was restored to the calendar yesterday on an order signed by Jus- teeted it and reported it to his superintice Newburger. The plaintiff formerly was tendent, who would have the defective rail a member of the Salvation Army, and the removed at once.

When the case was withdrawn last Now vember it was expected that the wife and husband would reach some agreement, but have been defective for at least forty-eight these negotiations have failed. Miss Sophia hours, assuming the stories told concerning hands of fellow passengers who had not her two sisters, who receive the income

list of injured given out as official by the a reversionary interest in the estate, have company contained thirteen names all applied to the Surrogate's Court to have a told, but a far greater number than thir- trustee appointed in place of Miss Sophia

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holders Form Committee.

STILWELL'S COUNSEL TALKS

Several others not included in this list Takes Exception to Statement in Article Quoted from an Advertisement-New Enterprise.

Following the organization on Tuesday of a committee to represent the first moregage bondholders of the Kansas City, Mexico & Orient Railway Company, which has been placed in the hands of receivers, ancouncement was made yesterday of the organization of a protective committee to represent the interests of stockholders of the International Construction Company A story of nerve and devotion to duty is and the Union Construction Company, which have done the work of building the

as it is completed. The chairman of the stockholders' com mittee is John W. Platten, president of the mouth and he was staggered by the blows J. Lisman & Co.; John T. Odell, who is a mittee.

The construction companies were organized to build the railroad, and it develops

Depositaries Here and Abroad.

Holders of the stock of the construction companies are asked to deposit their certificates with the United States Mortgage and Trust Company, of this city, and deposits may also be made with Glyn Mills Curris & Co., of London. April 8 is set as the final date on which deposits will be received except in the discretion of the committee.

H. D. Estabrook, speaking as counsel for Arthur E. Stilwell, who is president of the United States and Mexican Trust Company as well as of the Orient road, said yesterday that The Tribune was in error in say ing that a Deputy Attorney General asked Justice Bijur last December for a continuance of an injunction restraining the United States and Mexican Trust Company fro operating in this state without a charter the fact being that the application was for the issuance of an injunction, and that a sustained.

Mr. Estabrook also took exception to a statement in The Tribune article referring to the Integrity Mining and Milling Company, "dividends of 12 per cent on which, according to advertisements, were guaranteed by the United States and Mexican

Trust Company." Hesaid: "Mr. Stilwell never heard of a company by that name. The trust company never guaranteed dividends of any company of

any description." Company Advertised Guarantee.

In "The New York World" of February 10, 1907, appears an advertisement, five columns wide and nearly a page high, in which the Integrity Mining and Milling Company offers its capital stock (par value \$1) at 25 cents a share, and proclaims in black tace type across the entire five-column space: "Twelve per Cent Dividends Guaranteed by the United States and Mexican Trust Company, of Kansas City, Among "Vital Facts To Be Considered by You" the mining and milling company says.

While we believe, as above stated, that our company will begin to earn 25 per cent on par (100 per cent) per year after July 1, 1907, we are willing to guarantee at least 3 per cent dividend, which is 12 per cent or per cent dividend, which is 12 per cent on your money invested. These dividends are guaranteed by the United States and Mexican Trust Company, of Kansas City, a financial institution of national reputation. They guarantee each certificate of stock which we issue and pay the dividends as they fall due.

Another Stilwell enterprise has just been launched, the American Voltite Company, incorporated at Albany with \$2,000,000 capital stock, and with objects "to manufacture, sell and operate all processes for coating or plating any articles with metal, The directors are A. E. Stilwell, A C. pany; Holmes C. Walton, E. Dickinson, B. pany; Frank A. Richmond, Arthur Firth, H. D. Estabrook, August Leuchter and Earl W. Hammons. Voltite, according to Four of the crews were killed in the the Standard Dictionary, is "an insulating material for electric wires, etc."

Four more lost their lives by a broken CALLS TRACKMEN AT FAULT Expert on Rails Says Rust Should

Have Been Detected. The stories told by some who were early on the scene to the effect that the fracture showed rust lines caused R. G. Skerrett, a mechanical engineer of this city and an authority on steel rails, to declare that the wreck could have been averted had the

track walkers been diligent. "Rust at a fracture would not indicate so much the badness of the rail as the bad supervision of that section," he said. "Any trackman up to his job would have de-

"There are faults within the rail which would not show until the fracture ocdue entirely to want of proper care on the part of the track walker or the superintendent in charge of that section." Mr. Skerrett thinks that the rail must

ANTI-BOXING BILL ADVANCED. Albany, March 13 .- The Allen bill re-

pealing the Frawley law of last year establishing a state athletic commission and regulating boxing and sparring, was advanced to third reading in the Assembly to-day. An effort to recommit the bill was defeated.